UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,863	10/30/2000	Jukka Heiska	4925-64	6891

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EXAMINER
VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This Action is in regards to the Amendment and Reply received on 18 May 2005.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   **Claims 8-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Li, U.S.

Patent No. 6,901,437 in view of Carlino, WO 00/39666.

4.   With respect to claim 8, Li discloses the invention substantially as claimed. Li discloses

an apparatus for providing data services to mobile devices in a system comprising a data network

[see Li, Figure 1], at least one content server accessible via the data network [see Figure 1, items

110-114] at least one gateway for accessing the data network [see Li, Figure 1, item 106], a

mobile telephone network for communicating between the mobile devices and said at least one

gateway [see Figure 1, items 102 and 104], and a content converter separate from the at least one

gateway, separate from the at least one content server, and connected to the data network [see Li,

Figure 1, item 100], the apparatus comprising: a data store associates with the content converter

for storing indications of the characteristics of each terminal device [see Li, Figure 1, item 118]

receiving means at the content converter for receiving content for a particular mobile terminal

from said at least one content server, said at least one content server being connected to the data

network so that said content converter is directly accessible by said at least one content server

through the data network bypassing said at least one gateway [see Li, Figure 1, item 100, 108,

110, 112, 114]. However, Li does not explicitly disclose logic for adjusting content for the

particular mobile terminal in the content converter according to the stored characteristics of the

mobile terminal; and sending means for routing the adjusted content through the data network to

said at least one gateway for forwarding to said particular mobile terminal.

5.   In the same field of endeavor, Carlino discloses (e.g., converting content of markup data

for wireless devices). Carlino discloses logic for adjusting content for the particular mobile

terminal in the content converter according to the stored characteristics of the mobile terminal

[Carlino -- Page 9 lines 1-7 -Content converter converts original document, i.e. web page,

etc., from one markup language to another markup language, in addition to, following the

preferences stored in the database]; and sending means for routing the adjusted content

through the data network to said at least one gateway for forwarding to said particular mobile

terminal **[Carlino -- Figure 1 and Page 33 lines 19-23 - Wireless gateway (14), shown in**

figure 1, both receives requests and sends converted document to mobile device, i.e. mobile

phone].

6.   Accordingly, it would have been obvious to one of ordinary skill in the networking art at

the time the invention was made to have incorporated Carlino's teachings of converting content

of markup data for wireless devices with the teachings of Li, for the purpose of converting an

original electronic document into a converted electronic document useable on a wireless device

[see Carlino, pg 7].

7.   With respect to claim 9, Li- Carlino further teaches wherein the content is in wireless application protocol (WAP) **format [Carlino -- Page 33 lines 1-5 - Document is in WAP format using WML].**

8.   With respect to claim 10, Li- Carlino further teaches wherein the data network is a wide-area network (WAN) **[Carlino -- Figure 1 - World Wide Web or Internet is used to retrieve documents from other servers, computers etc... The Internet is classified as a WAN].**

9.   With respect to claim 11, Li- Carlino further teaches wherein the WAN is **the Internet [Carlino -- Figure 1 and Page 14 lines 13-16 - World Wide Web on the Internet].**

10.   With respect to claim 12, Li- Carlino further teaches wherein the data store further stores indications of preferences of the user of each terminal device, and wherein the logic adjusts content in accordance with stored preferences of the user **[Carlino -- Page 9 lines 1-7 and page 45 lines 3-13 - Database stores uploaded characteristics of devices and preferences of the user of the device which is used by the content converter to render documents in a manner viewable on a particular wireless device].**

11.   With respect to claim 13, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference currently entered by the user and stored **[Carlino -- Page 9 lines 1-7 - Content converter uses preferences and characteristics of users stored in database to adjust the original document, i.e. convert it to format suitable for wireless device. The user can make these preferences at any time and store them in the database].**

12.   With respect to claim 14, Li- Carlino further teaches wherein the logic adjusts content in accordance with a preference previously stored and currently selected by the user **[Carlino --**

Page 9 lines 1-7 and page 45 lines 3-13 -- Content converter adjusts content to that of user

preferences previously stored, i.e. user stores preferences for baseball scores to render

them on wireless device, in a given manner].

13.   With respect to claim 15, Li- Carlino leaches a system for converting a mark-up language

file into a format for presentation on a mobile terminal comprising: a content server connected to

a wide area network (WAN) for transmitting a mark-up language file over said WAN [**Carlino --**

Figures 1, Abstract, page 13 lines 5-6 and page 14 lines 5-18 - Original documents, i.e. web

pages in HTML, are accessed over the Internet, i.e. WAN, which implicitly reside on a

server, i.e. content server]; a content converted connected to said WAN for receiving the

mark-up language file over said WAN from the content server, for converting said mark-up

language file into a format appropriate for a mobile terminal, and for transmitting the converted

mark-up language file over the WAN [**Carlino -- Figure 1, Page 9 lines 1-7, page 18 lines**

19-23 and page 33 lines 19-23 -Original document from WWW is received at converter

from its source, i.e. content server, upon which, it the content converter converts the

original document, i.e. web page, etc., from one markup language to another markup

language by following the preferences stored in the database. Upon completion, wireless

gateway transmits the file over the network to the mobile device]; and a gateway between the

WAN and a mobile telephone network for receiving the converted mark-up language file from

the content converter and for transmitting the converted mark-up language file over the mobile

telephone network to the mobile terminal [**Carlino -- Figure 1 and Page 33 lines 19-23 -**

Wireless gateway (14), shown in figure 1, both receives requests and sends converted

document to mobile device, i.e. mobile phone]; wherein said content converter is separate and

distinct from said content server and from said gateway **[Carlino -- Figure 1, page l.4 lines 19-23 and page 15 lines 6-10 - Content converter is not integral to the wireless gateway nor the content provider but rather is an individual component, i.e. distinct from server and gateway]**; and wherein said content converter accesses a database storing the characteristics of the mobile terminal in order to convert the mark-up language file into a format appropriate for the mobile terminal **[Carlino -- Page 33 lines 10-19 - Database 18 contains wireless device preferences, i.e. characteristics, which acre specific to the particular wireless device, i.e. type of display, i.e. number of viewable lines on screen. Converter accesses database to obtain converting information to process the conversion]**.
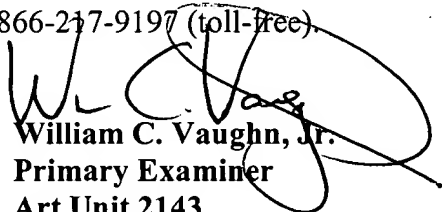
Conclusion

14.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143
20 July 2005

WCV